

**CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
SAVANNAH, GEORGIA
September 8, 2011**

The regular meeting of Council was held this date at 2:00 P.M. in the Council Chambers of City Hall. The Invocation was given by Alderman Jones followed by the Pledge of Allegiance to the Flag. The Minutes of the meeting of August 25, 2011 City Council Meeting and the Summary/Final Minutes of the August 25, 2011 City Council Workshop and City Manager's Briefing were approved upon motion of Alderman Osborne, seconded by Alderman Felser and carried.

PRESENT: Mayor Otis S. Johnson, Presiding
Mayor Pro-Tem Edna B. Jackson
Alderman Tony Thomas, Chairman of Council
Alderman Van Johnson II, Vice-Chairman of Council
Aldermen Larry Stuber, Clifton Jones, Jeff Felser,
Mary Osborne and Mary Ellen Sprague

City Manager Rochelle D. Small-Toney
City Attorney James B. Blackburn
Asst. City Attorneys William W. Shearouse and Lester B. Johnson, III

Alderman Johnson asked Council's permission for a moment of silence in recognition of the tenth anniversary of 9/11; in memory of the tragic day in history and how it changed lives.

Upon motion of Alderman Johnson, seconded by Alderman Osborne, approval was given for the Mayor to sign an Affidavit and Resolution for an Executive Session held today to discuss litigation, where no votes were taken (SEE RESOLUTIONS).

PRESENTATIONS

A presentation by Bureau of Public Facilities, Events and Services Chief Joe Shearouse designating Savannah as a Playful City USA for the second straight year: Mr. Shearouse thanked the Mayor, Council, and City Manager for their continued support. He then introduced the team of City employees who made this designation possible: Interim Cultural Affairs Director Undine Truedell; Recreation Services Director Barry Baker; Principal Management Analysis Shirley Smith; Building and Grounds Administrator Jim Shirley; and Program Coordinator Edith Crawford. Mayor Johnson commented on the article in the paper and the well-kept playgrounds and parks.

The swearing-in ceremony for the members of the 2011-2012 Savannah Youth Council: Alderman Johnson thanked the Mayor and Council for their continued support of the program and introduced: Gabe Adler, Ashanti Agyemang, Prentiss Bacon, McKinley Bentley, Kearston Berksteiner, Polly Berman, Marshai Brown, Marcell Brown, Alyssa Burns, Shakayla Bush, Dimetri Chambers, Ashlee Clark, Thomas Crossley, Kennedi Cunningham, Rashad Denmark, Ginnie Diebolt, Kyla Edwards, Jason Ennis, Isaiah Fields, Calvin Ford, Jillian Galleta, Kiana Garrett, Phonteen Haugabook, James Hazzard, Jamilah Hilliard, Jaumoithe Houseal, Isis L. Howard, Shane Howard, Glynnice Hurst, Caylen Johnson, Christiana Johnson, Kelton King, Malik Knight, Destiny Lambert, Kendra Lawrence, Keila Lawrence, Lindsey Mitchell, Kahleel Morman, Torre Mott, Brielle Oliver, Chase Polak, Alex Reeves, Irvin Riley, Monticko Scott, Lauren Sheldon, Lauren Spaulding, Alexis Thompson, Shelby Todd, Terry Tolbert, Deonte Townsley, Nariel Tribble, Joseph Washington, Silviller Watson, Cierra White, Henry White, Destiny Williams, Gabriel Williams, Nicholas Williams, and Nicholas Wright. Mayor Johnson thanked Savannah Youth Council Coordinator Carlis Bates, and her co-workers.

LEGISLATIVE REPORTS

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of the licenses and upon motion of Alderman Johnson, seconded by Alderman Thomas, and carried, they were approved:

ALCOHOL BEVERAGES LICENSE HEARING

Patricia Ballard t/a Shooters Lounge, requesting to transfer a liquor, beer and wine (drink) license from Joseph Hilliard for a bar/lounge at 17 E. DeRenne Avenue, which is located between White Bluff Road and Abercorn Street in District 4. (New ownership/management.) Recommend approval.

Hemlata Patel for H&J Richmond Hill, LLC d/b/a Kenny's Foodmart, requesting a beer and wine (package) license for a convenience store located at 703 Wheaton Street, which had a 2011 beer and wine (package) license and is located between Harmon and East Broad Streets in District 2. (New ownership.) Recommend approval.

Nirali Patel for Shree JIS Sav Foodmart, Inc d/b/a N&S Foodmart, requesting a beer and wine (package) license for a convenience store located at 2022 Delesseps Avenue, which is a new location between Cuba and Honduras Streets in District 3. (New business.) Recommend approval.

Justin Love for Hide A Way Tavern, requesting to transfer a liquor, beer and wine (drink) license with Sunday sales from Carl Blanchard for a restaurant/lounge located at 13051 Abercorn Street, which had a 2011 liquor, beer and wine (drink) license with Sunday sales and is located between Middleground Road and Apache Avenue in District 6. (Change in ownership/manager.) Recommend that the applicant satisfactorily explain to Council how he will operate at a location where there are concerns about loitering and disorder in the parking lot, and that a Sunday sales permit not be issued until the Health Department issues a food permit. Alderman Thomas addressed the new owner by telling him the alcohol license was a privilege and not a right and that there had been "issues" at this establishment in the past and that the City expects they will not continue in the future. Upon motion of Alderman Thomas, seconded by Alderman Jackson, and carried, the license was granted.

ZONING HEARINGS

For the record Alderman Felser recused himself from the discussion on digital billboards

Metropolitan Planning Commission (Z-110322-89661-2), recommending an amendment to Section 8-3112(c)(5)e of the Zoning Ordinance to clarify requirements pertaining to digital billboard technology in certain zoning classifications. The recommended amendments clarify some minor language ambiguities, strengthen distance requirements from residential zones, provide that such signs shall not be permitted within the boundaries of any locally designated Historic District or property as well as any Historic District as defined by the National Historic Register, and require that each billboard have an attached placard identifying the owner and the party responsible for its construction and maintenance and the permit number issued by the Zoning Administrator. (Continued from July 28, 2011.) Amanda Bunce, Development Services Planner, with the Metropolitan Planning Commission made a brief presentation. Attorney Blackburn reminded Council they were in a Public Hearing. Upon Motion by Alderman Johnson, seconded by Alderman Jackson and carried the Public Hearing was closed. Mayor Johnson stated, on the second reading there should be two options: the first reading to abolish the section and the second reading requiring 2,500 feet. Attorney Blackburn stated the options were: to accept the recommendation of the Metropolitan Planning Commission to amend the section of the ordinance dealing with digital billboards; take action on the proposed amendment of that section of the ordinance that would prohibit any further erection of billboards in any district; or compromise in the recommendation present this date. All of these alternatives can be combined by staff and presented on the next agenda, so that Council can review it and make a choice.

ORDINANCES

First Readings

Digital Billboard Restrictions. An ordinance to amend Section 8-3112(c)(5)e of the Zoning Ordinance to further restrict digital billboards within Savannah. The restrictions would include increased site distance requirements for residential areas and require a 2,500 foot minimum distance between billboards on opposite sides of the street. Staff has been assured by Lamar Advertising that no more than three new digital billboards would be erected should the amendment be approved by City Council.

RESOLUTIONS

A RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH AUTHORIZING THE MAYOR TO SIGN AFFIDAVIT OF EXECUTIVE SESSION

BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah as follows:

At the meeting held on the 8th day of September the Council entered into a closed session for the purpose of discussing litigation. At the close of the discussions upon this subject, the Council reentered into open session and herewith takes the following action in open session:

1. The actions of Council and the discussions of the same regarding the matter set forth for the closed session purposes are hereby ratified;
2. Each member of this body does hereby confirms that to the best of his or her knowledge, the subject matter of the closed session was devoted to matters within the specific relevant exception(s) as set forth above;
3. The presiding officer is hereby authorized and directed to execute an affidavit, with full support of the Council in order to comply with O.C.G.A. §50-14-4(b); 17
4. The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

ADOPTED AND APPROVED THIS 8TH DAY OF SEPTEMBER, UPON MOTION OF ALDERMAN JOHNSON, SECONDED BY ALDERMAN OSBORNE AND CARRIED.

Savannah Gardens Phase-III Financing. A resolution authorizing Community Housing Services Agency (CHSA), Inc. to amend the terms of its \$500,000 CDBG (Community Development Block Grant) loan to Mercy Housing Southeast in support of its 2010 Low Income Housing Tax Credit Project to construct 94 affordable rental housing units in Savannah Gardens Phase-III. Mercy Housing, Inc., the guarantor of all the project financing, has requested that some of the terms of the \$500,000 CDBG loan provided by CHSA, Inc. to Mercy Housing for Phase-III of Savannah Gardens be amended. The original loan terms were approved by the Mayor and Aldermen in a June 17, 2010 resolution in support of Mercy Housing's Phase-III tax credit application. The original approval included the following terms: \$500,000 CDBG Loan, 0% interest during construction up to 18 months, 3% interest permanent loan, term concurrent with private financing, Annual interest payment, Annual principal payment to equal 90% of available cash flow, 1.5% loan servicing to CHSA, Inc. The amended loan terms requested by Mercy Housing, Inc. include: \$500,000 CDBG Loan, 0% interest during construction up to 18 months, 3% interest permanent loan, term concurrent with private financing, Annual principal and interest payment of \$25,509.63 from available, cash flow; any unpaid amount rolls over to the next year, 1.5% loan servicing to CHSA, Inc. In both instances, annual payments were to be paid from available cash flow. Should there be insufficient cash flow to cover the full amount of the payment, the balance would be carried forward to the following year(s) and accrue interest. The primary lender, Mercy Housing, CHSA, Inc. and City staff collectively feel that given the current real estate and financing climate that it is prudent to remove the "guaranteed" annual interest payment to CHSA, Inc. While project proformas demonstrate sufficient cash flow to make all annual payments, removing the guarantee associated with the annual interest payment provides a buffer against loan default if annual cash flow is lower than projected due to unforeseen market conditions. CHSA's Loan Review Committee approved the new loan terms on August 24, 2011, CHSA Board approved on August 31, 2011, subject to approval by the

Mayor and Aldermen. Adopting the resolution at the September 8, 2011 City Council meeting will allow Mercy Housing to close financing and stay on pace to continue construction on schedule. City Manager recommended continuing this action until the next meeting to allow more time to work with Mercy Housing. Upon motion by Alderman Johnson, seconded by Alderman Stuber and carried, the resolution is continued until the September 22, 2011 meeting.

Criminal Justice System Concerns. A resolution to address concerns about public safety and the criminal justice system. Alderman Johnson stated this item came as a result of a discussion at the Council's Planning retreat and it was only in a draft form and Council needs more time to review it. Upon motion by Alderman Johnson, seconded by Alderman Felser and carried the resolution will be heard on September 22, 2011.

Upon motion of Alderman, seconded by Alderman and carried, the following **bids, contracts and agreements** were approved:

BIDS, CONTRACTS AND AGREEMENTS

Retirement Plan Review. City Council requested that a thorough review of retirement plan options for the City and its employees be conducted during 2011. The Segal Company has been the City's actuarial consultant for several years and is most familiar with the City's retirement program. Segal also recently assisted the City of Atlanta with its recent retirement plan review and subsequent modifications. Thus, this firm is well qualified and experienced to assist Savannah. The firm has made a proposal to undertake a three phase program that will include: Benchmarking and assessment of Savannah compared to other plans; Review and design of retirement plan alternatives; financial impact and modeling of alternate plan designs. The cost of the study will be up to \$47,000.00 depending on actual hours devoted to the project. The City Manager was authorized to engage Segal to undertake a retirement plan review as described above.

Savannah Gardens Vertical Demolition – Contract Modification No. 7 (PD400) – Bid No. 10.108. Approval of Contract Modification No. 7 in the amount of \$107,327.70 with McLendon Enterprises. The original contract was for the demolition of 45 buildings which allowed the construction of the infrastructure for Phase 1. This contract modification covers the demolition of an additional 24 buildings to allow the infrastructure contractor to begin construction on Savannah Gardens Phase 2A and 2B. Approval of Contract Modification No. 7 in the amount of \$107,327.70. Funds are available in the 2011 Budget, Capital Improvements Fund/Capital Improvement Projects/Other Costs/Savannah Gardens (Account No. 311- 9207-52842-PD400).

Riverwalk Bulkhead Assessment Consulting Services – Contract Modification No. 1 (OP132) – Bid No. 11.090. Approval of Contract Modification No. 1 in the amount of \$76,081.76 with Geosyntec Consultants. The original contract was for the assessment of the stability of the anchored bulkhead and walkway of the Savannah Riverwalk project and subsequent reports to City Council. This contract modification covers additional activities that were incorporated into Phase 4 of the project which included stability analyses, seismic analysis, load tests and field vane shear testing as well as additional document review of historic and archaeological documents of the subsurface conditions that were unavailable in their first review. The final stability assessment reported to City Council included these analyses test and document reviews and are the basis of cost for this contract modification. Approval of Contract Modification No. 1 in the amount of \$76,081.76. Funds are available in the 2011 Account, Capital Improvements Fund/Capital Improvement Projects/Other Costs/Riverwalk Extension (Account No. 311- 9207-52842-OP132).

Transfer Switch for Generator at Wilshire Wastewater Treatment Plant – Sole Source – Requisition No. 11203680. Approval to procure a transfer switch and installation services from TAW Power Systems in the amount of \$34,843.00. The transfer switch is a component of the automatic soft load system of the Wilshire treatment plant's generator system and allows for the transfer of power from Georgia Power to the emergency generator. The current transfer switch causes critical plant equipment to shut down during weekly load tests and has also been the cause of failures of equipment requiring expensive replacements. The reason for the sole source is that the recommended

contractor is the authorized dealer and service provider for the generator and switch gear's manufacturer. Delivery: 30 Days. Terms: Net-30 Days. Funds are available in the 2011 Budget, Capital Improvements Fund/Capital Improvement Projects/Other Costs/Treatment Plant Capital Maintenance (Account No. 311-9207-52842-SW319).

Traffic Signal Equipment – Bid No. 11.100. Approval to procure traffic signal equipment from Graybar Electric (Section A items 1-11, Section H item 82) in the amount of \$128,305.00; Temple Inc. (Sections B, C, D, G & Sec A item 12, Section F items 51 - 56, Section K items 118 - 120) in the amount of \$111,335.49; Traffic Products (Section E , Section F item 45 - 47, 49 & 50) in the amount of \$45,431.00; Quality Traffic Systems (Section H items 74 - 81) in the amount of \$8,375.00; Georgia Underground Supply (Section I) in the amount of \$18,397.89 and Rainbow Distributors (Section J) in the amount of \$15,109.00 for a total of \$326,953.38. Items 48, 57, 58, 84 - 86 and 121 will be awarded under small purchase contracts. This is a unit price contract that includes all parts and equipment that would be required to restore traffic signal service in the event of a disaster as well as routine signal maintenance. The actual parts and equipment usage will be substantially less. No vendors submitted pricing on all items, therefore all bid totals listed are for partial bids. The low bidder meeting specifications was recommended for each section/item. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2011 Budget, General Fund/Traffic Engineering/ Equipment Repair Parts (Account No. 101-2103-51335).

Mail and Courier Services – Annual Contract Renewal – RFP No. 11.181. Renewed an annual contract to procure mail and courier services from Savannah-Chatham Pickup and Delivery Services in the amount of \$64,750.62. The mail and courier services are needed to provide daily mail services for all City locations and unscheduled deliveries. This is the last renewal period available. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2011 Budget, General Fund/Mail and Municipal Building Services/Other Contractual Service (Account No. 101-1152-51295).

Water and Wastewater Sampling and Analysis – Annual Contract Renewal – Bid No. 11.194. Renewed an annual contract to procure water and wastewater sampling and analysis services from Test America in the amount of \$89,739.00. The laboratory services will be used by the I & D Water Plant, the Aquifer Water System, the Wastewater Treatment Plants, the Dean Forest Road Landfill and the Industrial Pretreatment Program to monitor the quality of water and wastewater. This is the first of two renewal options available. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2011 Budget, Account No. Various.

Natural Gas (Firm Accounts) – Annual Contract – Bid No. 11.202. Renewed an annual contract to procure natural gas (firm accounts) from Cowetta-Fayette EMC Natural Gas in the amount of \$125,226.08. The services are needed to furnish natural gas to City location. This is the first of two renewal options available. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2011 Budget, Various Accounts, 51206.

Backflow Preventers – Annual Contract Renewal – Bid No. 11.207. Renewed an annual contract for backflow preventers from Ferguson Underground Waterworks in the amount of \$77,590.00. The backflow preventers will be used by Water Distribution to prevent reverse flow of water in City water laterals and prevent polluted water from entering the potable water system. This is the last renewal option available on this contract. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2011 Budget, Water & Sewer Operating Fund/Water Distribution/Construction Supplies & Materials (Account No. 521-2503-51340).

Medicare Advantage Plan – Annual Contract Renewal – Requisition No. 11108311. Approval to renew an annual contract with Humana Inc. for one year effective January 1, 2012 to provide group Medicare Advantage Plan for City retirees and their spouses who are Medicare primary. Changes to governmental accounting standards require recognizing the cost of post employment benefits (OPEB) over the working career of an employee. In order to reduce this liability while maintaining retiree medical benefits, the best solution is a group sponsored fully insured Medicare Advantage Plan. Based upon 100% enrollment, the annual cost for the approximately 550 covered retirees and spouses equals \$1,132,692.00 of which the City will pay on average 53% of the premium. This premium is reflective of a -\$496,932 reduction from the prior year. Delivery: As Needed. Funds are available in the 2011 Budget, Medical Insurance/Medicare Advantage Costs (Account No. 621-9805-52294).

AIP Grant No. 3-13-0100-052-2011 – Savannah/Hilton Head International Airport. The Savannah Airport Commission received authorization to accept Airport Improvement Program (AIP) Grant Offer No. 3-13-0100-52-2011 in the amount of \$7,889,145 for the following development: North Area Development: Taxiway A, Taxiway H, Electrical Vault Improvements, Gulfstream Road and Gulfstream Road Tunnel (Design). North Area Development: Environmental Assessment & Traffic Assessment. North Area Development: Stormwater Re-evaluation and Permitting. North Area Development: Relocate Gulfstream Road and Extend Taxiway G Bridge Foundation and Walls. North Area Development: Extend Taxiway A. Representatives for the Airport Commission Sylvester Forney, Shirley James, and Patrick Graham presented a grant to the City that would add an additional 1,100 new jobs. The work has begun.

Tasers with Video Capability for SCMPD-One Time Purchase-Requisition No. 11197940. Approval to procure 50 tasers with video capability and accessories from DGG Taser & Tactical Supply in the amount of \$65,700.00. These tasers will be utilized by the Savannah-Chatham Metropolitan Police Department as a non-lethal alternative in the apprehension of suspects. The reason for this sole source is that DGG Taser & Tactical Supply is the manufacturer's only regional distributor for the Taser X26E model with video capability. Delivery: As Needed. Terms: Net 30 Days. Funds are available in the 2011 Budget. General Fund/Patrol and Special Operations/Small Fixed Assets (Account No. 101-4120-51321). Alderman Sprague stated Chief Lovett told her this would outfit most-all of the offices with tasers and cameras. Upon motion by Alderman Sprague, seconded by Alderman Felser and carried the purchase was approved.

Twinning Agreement with Halle, Germany. Approval of a Twinning Agreement between the City of Halle (Saale), Germany and the City of Savannah. Mayor Johnson gave a brief explanation of the connection of the City of Savannah and the City of Halle, Germany and the bringing together these two cities that have mutual history. The Mayor of Halle will visit Savannah October 20th – 24th, 2011. Upon motion by Alderman Jackson, seconded by Alderman Johnson and carried the Mayor will sign the agreement.

Alderman Stuber stated he had a complimentary issue to this item: He made a motion, seconded by Alderman Jackson for the Mayor of Savannah to issue a letter of support, and proceed initiatives with other economic development agencies to establish a World Trade Center Savannah, based on a fee-base service to assist local and regional business in the global economy and market. Alderman Felser was in favor but questioned the legality of the posting of the item on the agenda. Alderman Stuber stated it was not, but felt it was complimentary with the issue of the Twinning Agreement with Germany; also it was not a budget issue and no money was required by the City. Mayor Johnson expressed to Alderman Stuber - if he would ask him to write a letter on behalf of the Council supporting the Savannah Economic Development Authority in its initiative to create an International Trade Center, and it would be done.

Upon motion by Alderman Johnson, seconded by Alderman Osborne and carried, Council went into Executive Session to continue a discussion of pending litigation.

There being no further business, Mayor Johnson declared this meeting of Council adjourned.



Dyanne C. Reese
Clerk of Council